

Essex Conservation Commission

January 3, 1995

Present: David Folsom, Chairman; Canan Hewson; Arthur Hodges; Edith Messersmith; Edwin Perkins; Peter Perrigo.

Meeting called to order at 7:35 p.m.

The Board felt that it should be noted in the Minutes of the meeting that a Cease and Desist Order was issued to Richard Tomaiolo as agent for Joseph Zaffiro for the cutting and removal of trees and brush in wetlands at 7 Lufkin Point Road.

A Request for a Determination of Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, was made by Sharon Defty-Barry for the construction of a driveway on Island Road.

Joseph Ginn, representing Deft-Barry, told the Board that there are two wetland areas, one on the other side of the road from where the driveway is to be constructed, and the other is well into the back of the property. A 50' x 12' area will be in the buffer zone across the road from the wetland. The top soil will be stripped and stockpiled and gravel will be put in the driveway and then lynnac. Ginn noted that the the Department of Public Works wanted a culvert put in, but he was not sure whether that would be feasible. Ginn reiterated that the amount of disturbance would be the removal of top soil and being replaced with gravel. The Board reviewed the Request and accompanying plan.

Perkins moved to issue Sharon Defty-Barry a negative Determination for the construction of a driveway on Lot 16A, Island Road. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

David Sabatini met with the Board for a Building Permit Application review for the construction of a single-family dwelling off John Wise Avenue. A superceding Order of Conditions had been issued by the Department of Environmental Protection on May 23, 1988, for the construction of road and driveways, which Sabatini indicated were all in place. The Building Permit Application was signed by Chairman Folsom.

Richard Tomaiolo met with the Board to discuss the Cease and Desist Order issued to him in his capacity as agent for Joseph Zaffiro for property at 7 Lufkin Point Road. Joseph Whelton, an abutter, said that top soil was removed and there is now bare rock which is causing water to drain down the hill. Perrigo said he visited the site and saw that top soil had been removed but outside of the buffer zone. Tomaiolo was told that whoever takes over this property must flag the wetlands and appear before the Board for at least a Request for a Determination of Applicability prior to any work commencing.

It was felt a letter should be sent to Atlantic Engineering and Survey Consultants, Inc., requesting a detailed plan of the replication area and any additional reclamation areas that we felt necessary to correct wetland violations made last summer at 230 Western Avenue, property of John Coughlin.

Perrigo moved to issue a positive Determination of Applicability to John Coughlin, PMC Realty Trust, for property at 230 Western Avenue. The motion was seconded by Hodges, with the Board voting as follows: in favor - Folsom, Hodges, Messersmith; Perkins; and Perrigo; Hewson abstained.


Perrigo moved to issue a positive Determination of Applicability to John Coughlin, PMC Realty Trust, for property at Rear South Essex Village, Eastern Avenue. The motion was seconded by Hodges, with the Board voting unanimously in favor.

The Board reviewed the correspondence.

Messersmith moved to adjourn the meeting, seconded by Perkins, with the Board voting unanimously in favor.

Meeting adjourned at 9:00 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

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A G E N D A

Appointments:

- 7:45 p.m. ... Request for Determination of
Applicability - Sharon Defty-Barry,
Island Road
- 8:00 p.m. ... David Sabatini - construction of dwelling,
John Wise Avenue

Business:

- Review correspondence
- Sign Bills Payable Voucher
- Sign Payroll Voucher
- Sign Determinations of Applicability - John Coughlin,
Eastern Avenue and Western Avenue